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February 21, 2022

VIA ECF

Honorable Lewis J. Liman
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

**Re: United States v. Lawrence Ray
20 Cr. 110 (LJL)**

Dear Judge Liman:

We write in response to the government's letter to the Court, Dkt. 372, to correct one misstatement with respect to Agent Catanzaro's testimony.

The government asserts that "[i]t is certainly relevant to any evaluation of prejudice that, since [January 31, 2022], defense counsel never inquired into Agent Catanzaro's testimony nor requested an expert disclosure or tax loss computation." *Id.* at 3. This is false. On February 10, 2022, immediately following the Court's denial of the defense's motion to withdraw as counsel to Mr. Ray, the defense inquired, off the record, about the subject of Agent Catanzaro's testimony.¹

In addition to asking whether the government intended to have the IRS agent sit through the testimony of all trial witnesses or just those specifically relevant to the tax inquiry, defense counsel requested the agent's "summary charts reflecting the sources of income otherwise presented at trial," as referenced in the government's motions in limine. Dkt. 323 at 44. The government indicated that these charts were not yet available and suggested they may not be ready until trial. The defense then asked if the government could at the very least provide a skeleton summary chart in order to have a better understanding of the agent's proposed summary. The government was open to producing something of that nature, but did not specify a date by which the defense may expect such materials. *See also* February 19, 2022 Email, Ex. A ("*As I also think Mollie previously mentioned, if the tax witness is permitted to testify, we anticipate a summary chart related to tax loss figures.*").

¹ In light of the then-pending motion to withdraw, defense counsel did not receive the 3500 materials until February 11, 2022, not February 8, 2022, as indicated in the government's letter to the Court.

Hon. Lewis J. Liman

Thank you for your consideration of this matter.

Respectfully submitted,

/s/

Marne L. Lenox, Esq.
Peggy Cross-Goldenberg, Esq.
Allegra Glashausser, Esq.
Neil P. Kelly, Esq.

Counsel for Lawrence Ray

cc: Counsel of record

EXHIBIT A

From: [Sassoon, Danielle \(USANYS\)](#)
To: [Marne Lenox](#); [Bracewell, Mollie \(USANYS\)](#); [Keenan, Lindsey \(USANYS\)](#)
Cc: [Peggy Cross-Goldenberg](#); [Allegra Glashausser](#); [Neil Kelly](#)
Subject: RE: Gov't Draft Summary Charts
Date: Saturday, February 19, 2022 7:33:24 PM

Marne,

We are seeking to introduce the summary exhibits themselves into evidence under Rule 1006.

I also want to give you a heads up about the following:

- we are working on a substitute for GX 1411 that will include the years 2017, 2018, and 2019.
- We have some additional general timeline slides for Special Agent Maguire's testimony that are in progress, but will be based on the existing exhibits.
- We will soon produce a summary exhibit that integrates information from GX 1102 and GX 1104.
- The financial exhibits and domain payment charts will soon be updated with some corrections from the testifying witness, Mark Lubin.
- As I also think Mollie previously mentioned, if the tax witness is permitted to testify, we anticipate a summary chart related to tax loss figures.

Thanks,
Danielle

From: Marne Lenox <Marne_Lenox@fd.org>
Sent: Saturday, February 19, 2022 5:55 PM
To: Sassoon, Danielle (USANYS) <DSassoon@usa.doj.gov>; Bracewell, Mollie (USANYS) <MBracewell@usa.doj.gov>; Keenan, Lindsey (USANYS) <LKeenan@usa.doj.gov>
Cc: Peggy Cross-Goldenberg <Peggy_Cross-Goldenberg@fd.org>; Allegra Glashausser <Allegra_Glashausser@fd.org>; Neil Kelly <Neil_Kelly@fd.org>
Subject: [EXTERNAL] Gov't Draft Summary Charts

Hi,

Are all of the draft summary charts in the 1400 series of the exhibits intended to be introduced as evidence under Rule 1006, or are any of them just demonstrative? If the latter, please let me know which are which.

Thank you,
Marne

Marne L. Lenox
she/her/hers
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